

REMARKS

This Amendment after Final is filed in response to the FINAL Office Action mailed August 6, 2010. All objections and rejections are respectfully traversed.

Claims 1-16, 39-40, and 45-51 are in the case.

No new claims have been added.

Claims 1-2, 4, 8-9, 16, 39-40, 47, and 51 have been amended.

Interview Summary

Applicant would like to thank Examiner Nguyen for conducting the Applicant Initiated Interview on August 30, 2010 and for helping to advance this Application closer to allowance. Generally, the issue discussed involved overcoming rejections under 35 U.S.C. §112, paragraph 2. While Applicant does not necessarily agree with the Office Action's usage of the 35 U.S.C. §112, paragraph 2 rejections, Applicant discussed adding language sufficient to overcome the 35 U.S.C. §112, paragraph 2 rejections. Examiner Nguyen noted that Applicant's claim amendment suggestions were sufficient to overcome the 35 U.S.C. §112, paragraph 2 rejections. Examiner is encouraged to contact the undersigned attorney with any questions.

Claim Support

Any currently pending claim(s) are believed to be in condition for allowance and fully supported by Applicant's specification, as may be shown at least at page 4, line 26 to page 5, line 16. Upon request, additional citations may be provided for additional support.

Rejections Under 35 U.S.C. §112

At paragraph 8 of the Office Action, claims 1-16, 39-40, 47-49, and 51 were rejected under 35 U.S.C. §112, paragraph 2. As noted above in the Interview Summary, Examiner Nguyen noted that Applicant's claim amendment suggestions were sufficient to overcome the 35 U.S.C. §112, paragraph 2 rejections. As such, claims 1-16, 39-40, 47-

49, and 51 are believed to satisfy all requirements as set forth under 35 U.S.C. §112. Accordingly, claims 1-16, 39-40, 47-49, and 51 are believed to be in condition for allowance.

For completeness of the record, Applicant maintains the contentions discussed in the previous Amendment filed on May 28, 2010, however, in the interest of advancing prosecution and avoiding the delay in seeking appellate review from the Board of Patent Appeals and Interferences and/or the U.S. Court of Appeals for the Federal Circuit, Applicant has amended the claims noted above. Should the claim amendments not satisfy the Office, Applicant expressly reserves the right to present these contentions or variations thereof in any appellate procedures.

Allowable Subject Matter

At paragraphs 15-16 of the Office Action, claims 45, 46, and 50 are allowed, and claims 1-16, 39-40, 47-49, and 51 would be allowable if amended to overcome the above-referenced §112, second paragraph rejections.

Conclusion

All new claims and/or claim amendments are believed to be fully supported by Applicant's specification.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,

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